

REMARKS

Claims 1, 2, 4 and 6 are pending in this application. By this Amendment, claim 1 is amended. Support for the amendments to claim 1 can be found, for example, in Figs. 7 and 8, and in paragraph [0028], of the specification, as originally filed. No new matter is added. Claims 3, 5 and 7-9 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representatives by Examiner Sorkin at the personal interview held on December 29, 2010, and the telephone interviews held on January 4, 2011 and January 5, 2011 are appreciated. Applicant appreciates the patient and diligent efforts taken by the Examiner in discussing claim amendments to address all of the issues raised in the Office Action. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

The Office Action rejects claims 1-9 under 35 U.S.C. §112, first and second paragraph. As agreed during the personal interview, the amendments to independent claim 1 obviate the rejections. Claim 9 is canceled rendering the rejection to claim 9 moot. Accordingly, it is respectfully requested that the §112, first and second paragraph, rejections be withdrawn.

The Office Action rejects claims 1, 3, 4 and 9 under 35 U.S.C. §102(b) over U.S. Patent No. 1,595,470 to Johnson. The Office Action also rejects claims 2 and 5-8 under 35 U.S.C. §103(a) over Johnson. These rejections are respectfully traversed.

Johnson fails to disclose, and would not have rendered obvious, an extruder system with a casing body arranged between side plates and enclosing a space on a radially outer side of a driving pinion and at least one driven pinion, the casing body comprising a plurality of

axial opening portions, each axial opening portion housing a respective pinion selected from a group consisting of the driving pinion and the at least one driven pinion, the each opening portion substantially conforming in size and shape to an outer circumferential profile of the respective pinion such that a space on the radially outer side of the respective pinion is minimized so that the predetermined amount of material extruded flows between teeth of each respective pinion in operation, as recited in independent claim 1.

The Office Action identifies casing 15 and disc 33 of Johnson as allegedly corresponding to the claimed casing body and side plates. The Office Action asserts that the end portion of the casing 15 can be considered as a plate. Applicant respectfully disagrees.

The claim features recite side plates arranged on both axial sides of the pinions and a casing body arranged between the side plates. These recited claim features are separate and distinct from one another. The Federal Circuit has asserted that, "A claim construction that gives meaning to all the terms of the claim is preferred over one that does not do so." *Merck & Co. v. Teva Pharms. USA, Inc.*, 395 F.3d 1364, 1372 (Fed. Cir. 2005). Applicant asserts that it is unreasonable for one of ordinary skill in the art to conclude that the end portion of the casing 15 of Johnson corresponds to both a casing body and a side plate.

Johnson illustrates, in Fig. 3, a cross section of the casing 15 and gear elements 17 and 18. As depicted in Fig. 3, the casing 15 encloses a space on a radially outer side of the gear elements. Johnson also illustrates projection enlargements 22 that are provided in the chamber 16 extending only from the inlet openings (page 2, lines 31-35). These projection enlargements 22 act as relief passages for the plastic material to flow.

However, the casing 15 does not substantially conform in size and shape to an outer circumferential profile of the gear elements 17 and 18. Johnson illustrates, in Fig. 3 that the casing 15 only partially conforms to the outer profile of gear element 18. Fig. 3 depicts that casing 15 does not conform around gear 17 substantially either. Since the casing 15 of

Johnson does not substantially conform around the gear elements, a space on the radially outer side of each gear element is not minimized. There is a significant amount of space remaining between the outer profile of the gear elements and the casing 15 that is not reduced. As a result, the plastic material of Johnson flows between teeth of gear elements 17 and 18, and also within the remaining space between the outer profile of the gear elements and the casing 15.

Johnson also fails to disclose, and would not have rendered obvious, an extruder system with a casing body comprising a plurality of recesses positioned at each axial end of at least one of a plurality of axial opening portions, the plurality of recesses being partially non-overlapping with a suction port and a discharge port, as recited in independent claim 1.

As discussed during the personal interview, Johnson illustrates, in Figs. 2 and 3, projection enlargements 22 that are provided in the chamber 16 extending only from the inlet openings (page 2, lines 31-35). Johnson also illustrates, in Fig. 4 and Fig. 5, outlets 23 that are tapered for the plastic material to exit (page 2, lines 42-47 and lines 83-88). The tapers in the outlets 23 increase in size from the discharge side as the outlet 23 approaches the ring 35.

However, as discussed during the personal interview, Johnson fails to suggest projection enlargements 22 at the discharge side. Figs. 4 and 5 do not illustrate any feature that could reasonably be considered as a projection enlargement at the discharge side. Moreover, the disclosure of Johnson does not suggest projection enlargements at the discharge side. The tapers in the outlets 23 do not suggest projection enlargements at the discharge side because the tapers expand inversely. That is, the taper of the outlets 23 increase in size as the outlets 23 move away from the discharge surface. Therefore, for at least these reasons, Johnson fails to disclose and would not have rendered obvious all the features positively recited in independent claim 1. Thus, claim 1 is patentable over Johnson.

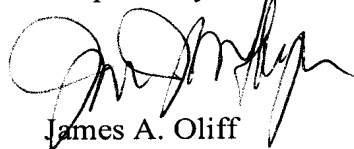
Claims 2, 4 and 6 depend from independent claim 1. Thus, claims 2, 4 and 6 are also allowable by reason of their dependence from independent claim 1, as well as for the additional features these claims recite. Claims 3, 5 and 7-9 are canceled, rendering the rejections of these claims moot. Accordingly, it is respectfully requested that the rejections be withdrawn.

As agreed during the personal interview, amending claim 1 as recited above will overcome the §112, §102(b) and §103(a) rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4 and 6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jomy J. Methipara
Registration No. 67,248

JAO:JXM/axl

Date: January 19, 2011

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry of this filing;
Charge any fee due to our
Deposit Account No. 15-0461